

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

In re:

Pro-Mark Services, Inc.,

Bky. Case No. 24-30167

Chapter 7

Debtor.

Erik A. Ahlgren, as Chapter 7 Trustee
of the Bankruptcy Estate of Pro-Mark Services, Inc.,
as Administrator of the Pro-Mark
Services, Inc. Employee Stock Ownership Plan, and
as Trustee of the Pro-Mark Services, Inc.
Employee Stock Ownership Trust,

Plaintiff,

v.

Adversary No. 24-07014

Connie Berg, Kyle Berg, Connie Berg Revocable
Living Trust, Kyle R. Berg Revocable Living Trust,
Chad DuBois, Mandy Grant, and Miguel Paredes,

Defendants.

**STIPULATED MOTION TO EXTEND PLAINTIFF'S TIME TO RESPOND TO
DEFENDANT MIGUEL PAREDES' MOTION TO DISMISS**

1. Plaintiff Erik A. Ahlgren, as Chapter 7 Trustee of the Bankruptcy Estate of Pro-Mark Services, Inc., as Administrator of the Pro-Mark Services, Inc. Employee Stock Ownership Plan, and as Trustee of the Pro-Mark Services, Inc. Employee Stock Ownership Trust filed his Amended Complaint against the Defendants, including Defendant Miguel Paredes, on September 25, 2024. [ECF No. 11.]¹

¹ If the Court does not grant the motion to dismiss [ECF No. 30], Defendant Paredes reserves the right to challenge Plaintiff's asserted capacity as the administrator and trustee of the Pro-Mark ESOP and his standing under ERISA section 502 or otherwise to assert claims against Defendant Paredes.

2. On September 29, 2024, Plaintiff and Defendant Paredes filed a stipulated motion to extend Defendant Paredes' time to respond to the Amended Complaint until October 25, 2024. [ECF No. 14.] By order dated September 30, 2024, the Court granted the stipulated motion. [ECF No. 15.]

3. On October 25, 2024, Defendant Paredes filed his Motion to Dismiss the Amended Complaint. [ECF No. 30] ("Motion to Dismiss"). Plaintiff's response deadline for the Motion to Dismiss is November 15, 2024.

4. Plaintiff and Defendant Paredes hereby move the Court, by stipulation, for an order extending the deadline for Plaintiff to respond to Defendant Paredes' Motion to Dismiss to November 22, 2024.

Dated: November 7, 2024

/s/ Peter D. Kieselbach

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Dated: November 7, 2024

/s/ Michael L. Scheier

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